

AMENDMENTS

In the Claims:

Please cancel claim 78, without prejudice.

Please substitute the claim as indicated below for the claim of the same number. Claim 1 has been amended (as shown later in this Amendment). A clean copy of amended claim 1 is below.

subd 1

1. (Amended Twice) An energy transfer apparatus for facilitating energy transfer into a mass of airway tissue, said apparatus sized to enter a bronchus or bronchiole of a human lung and comprising:

- a flexible elongated body having a proximal portion and a distal portion and at least one lumen extending therebetween;
- a distally located expandable portion of said elongated body, said expandable portion comprising a plurality of legs and having a first state and a second state, wherein said second state is radially expanded from said elongated body;
- a distal tip located distally of said plurality of legs;
- at least one discrete energy transfer element at an exterior of at least one of said legs such that at least one of said energy transfer elements is in electrical communication through said leg, wherein each of said energy transfer elements is configured to contact a wall of the bronchus or bronchiole when said plurality of legs is in said second state;
- a proximal joint at an intersection of said distal portion and said plurality of legs, each of said legs having a first end extending from said proximal joint and a second end terminating at a distal joint, said distal joint being adjacent to said distal tip;
- at least one temperature detecting element attached to at least one of said plurality of legs wherein said temperature detecting element is in electrical communication with said leg and wherein said leg is a continuous member; and

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c/ a deployment member configured to move said expandable portion between said first and second state, said deployment member extending at least between said expandable portion and said proximal portion of said elongated body.
